

Introduced by Senator Padilla

February 27, 2009

An act to amend Section 345.5 of the Public Utilities Code, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

SB 655, as introduced, Padilla. Independent System Operator: California Renewables Portfolio Standard Program: greenhouse gas emissions.

Existing law requires the Independent System Operator, a nonprofit public benefit corporation created pursuant to law, to ensure efficient use and reliable operation of the state's electricity transmission grid. The operator is required to manage the transmission grid and related energy markets in a manner consistent with applicable state laws intended to protect the public's health and the environment.

This bill would require the Independent System Operator to support and assist in implementing the California Renewables Portfolio Standard Program and greenhouse gas emission reduction laws and regulations.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 345.5 of the Public Utilities Code is
- 2 amended to read:
- 3 345.5. (a) The Independent System Operator, as a nonprofit,
- 4 public benefit corporation, shall conduct its operations consistent
- 5 with applicable state and federal laws and consistent with the
- 6 interests of the people of the state.

1 ~~(b) To ensure the reliability of electric service and the health~~
2 ~~and safety of the public, the~~ The Independent System Operator
3 shall manage the transmission grid and related energy markets in
4 a manner that is consistent with all of the following:

5 ~~(1) Ensuring the reliability of electric service and the health~~
6 ~~and safety of the public.~~

7 ~~(1)~~

8 (2) Making the most efficient use of available energy resources.
9 For purposes of this section, “available energy resources” include
10 energy, capacity, ancillary services, and demand bid into markets
11 administered by the Independent System Operator. “Available
12 energy resources” do not include a schedule submitted to the
13 Independent System Operator by an electrical corporation or a
14 local publicly owned electric utility to meet its own customer load.

15 ~~(2)~~

16 (3) Reducing, to the extent possible, overall economic cost to
17 the state’s consumers.

18 (4) *Supporting and assisting in implementation and compliance*
19 *with the California Renewables Portfolio Standard Program*
20 *(Article 16 (commencing with Section 399.11)).*

21 ~~(3)~~

22 ~~(5) Applicable state law intended to protect the public’s health~~
23 ~~and the environment~~ *Supporting and assisting in implementation*
24 ~~and compliance with greenhouse gas emission reduction laws and~~
25 ~~regulations, including, but not limited to, the California Global~~
26 ~~Warming Solutions Act of 2006 (Division 25.5 (commencing with~~
27 ~~Section 38500) of the Health and Safety Code).~~

28 ~~(4)~~

29 (6) Maximizing availability of existing electric generation
30 resources necessary to meet the needs of the state’s electricity
31 consumers.

32 (c) The Independent System Operator shall do all of the
33 following:

34 (1) Consult and coordinate with appropriate state and local
35 agencies to ensure that the Independent System Operator operates
36 in furtherance of state law regarding consumer and environmental
37 protection.

38 (2) Ensure that the purposes and functions of the Independent
39 System Operator are consistent with the purposes and functions
40 of nonprofit, public benefit corporations in the state, including

1 duties of care and conflict-of-interest standards for officers and
2 directors of a corporation.

3 (3) Maintain open meeting standards and meeting notice
4 requirements consistent with the general policies of the
5 Bagley-Keene Open Meetings Act (Article 9 (commencing with
6 Section 11120) of Chapter 1 of Part 1 of *Division 3 of Title 2 of*
7 the Government Code) and affording the public the greatest
8 possible access, consistent with other duties of the corporation.
9 The Independent System Operator's Open Meeting Policy, as
10 adopted on April 23, 1998, and in effect as of May 1, 2002, meets
11 the requirements of this paragraph. The Independent System
12 Operator shall maintain a policy that is no less consistent with the
13 Bagley-Keene Open Meetings Act than its policy in effect as of
14 May 1, 2002.

15 (4) Provide public access to corporate records consistent with
16 the general policies of the California Public Records Act (Chapter
17 3.5 (commencing with Section 6250) of Division 7 of Title 1 of
18 the Government Code) and affording the public the greatest
19 possible access, consistent with the other duties of the corporation.
20 The Independent System Operator's Information Availability
21 Policy, as adopted on October 22, 1998, and in effect as of May
22 1, 2002, meets the requirements of this paragraph. The Independent
23 System Operator shall maintain a policy that is no less consistent
24 with the California Public Records Act than its policy in effect as
25 of May 1, 2002.